



## 1997 ASSEMBLY BILL 791

February 12, 1998 - Introduced by Representatives HARS DORF, AINSWORTH, BOCK, BRANDEMUEHL, NOTESTEIN, WOOD and R. YOUNG, cosponsored by Senators DARLING, PLACHE and CLAUSING. Referred to Committee on Judiciary.

1     **AN ACT to amend** 895.85 (3) of the statutes; **relating to:** the standard of conduct  
2             in cases involving punitive damages.

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*Analysis by the Legislative Reference Bureau*

Under current law, punitive damages may be awarded in certain cases if the plaintiff submits evidence showing that the defendant acted maliciously toward the plaintiff or in an intentional disregard of the rights of the plaintiff. This bill adds a provision allowing the plaintiff to be awarded punitive damages if the plaintiff submits evidence showing that the defendant acted in a reckless disregard of the rights of the plaintiff.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3             **SECTION 1.** 895.85 (3) of the statutes is amended to read:  
4             895.85 (3) STANDARD OF CONDUCT. The plaintiff may receive punitive damages  
5             if evidence is submitted showing that the defendant acted maliciously toward the  
6             plaintiff or in an intentional or reckless disregard of the rights of the plaintiff.  
7             **SECTION 2. Initial applicability.**

